

## **RESOLUTION NO. 5947**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF ORANGE TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION OF SAID CITY TO BE HELD ON TUESDAY, NOVEMBER 3, 2020, WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON SAID DATE PURSUANT TO SECTION 10403 OF THE ELECTIONS CODE.

**WHEREAS**, the City Council of the City of La Habra has called a General Municipal Election to be held on Tuesday, November 3, 2020, for the purpose of the election of three (3) Members of the City Council; and

**WHEREAS**, the City Council is also submitting to the voters a qualified initiative measure relating to properties in the City designated as "open space" in the General Plan; and

**WHEREAS**, it is desirable that the General Municipal Election be consolidated with the Statewide General Election to be held on the same date and that within the City the precincts, polling places, and election officers of the two elections be the same, and that the Orange County Registrar of Voters canvass the returns of the General Municipal Election and that the election be held in all respects as if there were only one election.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LA HABRA DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:**

SECTION 1. That pursuant to the requirements of Section 10403 of the Elections Code, the Board of Supervisors of the County of Orange is hereby requested to consent and agree to the consolidation of a General Municipal Election with the Statewide General Election on Tuesday, November 3, 2020, for the purpose of the election of three (3) Members of the City Council and the submission of a ballot measure or measures to the voters.

SECTION 2. That a measure is to appear on the ballot as ordered in Resolution 5884 (Exhibit "A"), attached hereto and incorporated herein by this reference.

SECTION 3. That the Orange County Registrar of Voters is authorized to canvass the returns of the General Municipal Election. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used. The election will be held and conducted in accordance with the provisions of law regulating the statewide election.

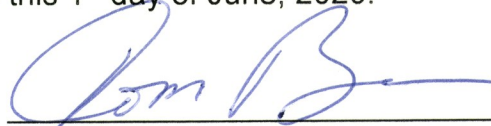
SECTION 4. That the Board of Supervisors is requested to issue instructions to the Orange County Registrar of Voters to take any and all steps necessary for the holding of the consolidated election. The City Manager and City Clerk are hereby authorized to contract with the County for such election-related services.

SECTION 5. The City of La Habra recognizes that additional costs will be incurred by the County by reason of this consolidation and agrees to reimburse the County for any additional costs.

SECTION 6. That the City Clerk of the City of La Habra is hereby directed to file a certified copy of this resolution with the Board of Supervisors and the Orange County Registrar of Voters.

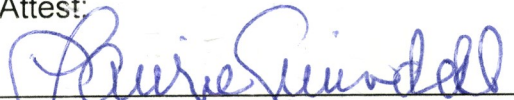
SECTION 7. The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED, AND ADOPTED this 1<sup>st</sup> day of June, 2020.



Tom Beamish, Mayor

Attest:



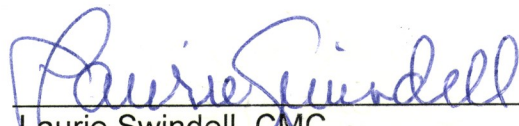
Laurie Swindell, CMC  
City Clerk

STATE OF CALIFORNIA }  
COUNTY OF ORANGE } SS.  
CITY OF LA HABRA }

I, Laurie Swindell, CMC, City Clerk for the City of La Habra, do hereby certify that the above and foregoing is a true and correct copy of Resolution No. 5947 introduced and adopted at a Regular Meeting of the City Council of the City of La Habra held on the 1<sup>st</sup> day of June, 2020 by the following roll call vote:

AYES:	COUNCILMEMBERS:	Beamish, Espinoza, Gomez, Medrano, Shaw
NOES:	COUNCILMEMBERS:	NONE
ABSENT:	COUNCILMEMBERS:	NONE
ABSTAIN:	COUNCILMEMBERS:	NONE

Witness my hand and the official seal of the City of La Habra this 1<sup>st</sup> day of June, 2020.



Laurie Swindell, CMC  
City Clerk



RESOLUTION NO. 5884

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA ORDERING THAT AN INITIATIVE MEASURE BE SUBMITTED TO THE VOTERS OF THE CITY AT THE REGULAR MUNICIPAL ELECTION TO BE CONSOLIDATED WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2020, FOR THE PURPOSE OF CONSIDERING PROPOSED AMENDMENT TO THE LA HABRA GENERAL PLAN**

**WHEREAS**, a Notice of Intent to circulate an Initiative petition seeking to amend the General Plan of the City of La Habra titled "Citizen's Initiative for Preservation of Open Space in La Habra" ("Initiative") was filed with the City Clerk on May 9, 2018, and

**WHEREAS**, the City Clerk has certified that the Initiative petition was signed by more than 10% of the registered voters in the City;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LA HABRA HEREBY RESOLVES:**

Section 1. Initiative Measure Submitted to the Voters: Pursuant to California Elections Code Sections 9215(b), the City Council hereby orders that a measure be submitted to the voters of the City at the Regular Municipal Election to be held on Tuesday, November 3, 2020, for the purpose of considering the Initiative. The full text of the Initiative, attached to this Resolution as Exhibit A, shall be printed in the voter pamphlet. The measure to be submitted to the voters shall appear and be printed on the ballot as follows:

City of La Habra	
Shall the Initiative Measure titled "Citizen's Initiative for Preservation of Open Space in La Habra" be adopted to amend the La Habra General Plan to require majority voter approval to change property in the City designated as "Open Space" to another designation?	YES
	NO

Section 2. Effective Date: The proposed General Plan amendment shall not take effect unless and until approved by a vote of at least a majority of the voters voting on the question at the election.

Section 3. California Environmental Quality Act: Because the California Supreme Court has held that the California Environmental Quality Act ("CEQA") does not apply to "citizen sponsored" initiatives, CEQA does not apply to this action to submit the Initiative to the voters. See, *Tuolumne Jobs & Small Business Alliance v. Superior Court* (2014) 59 Cal.4th 1029.

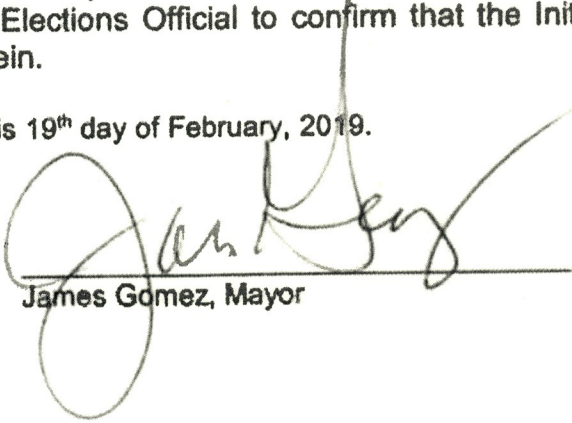
Section 4. Impartial Analysis: The Acting City Attorney is hereby directed to prepare an impartial analysis of the measure pursuant to Elections Code Section 9280.

Section 5. Ballot Argument: The City Clerk shall establish deadlines and processes for the submittal of ballot arguments and rebuttals. The proponents of the Initiative may submit an argument in favor of the measure, and the City Council hereby authorizes one or more of its members to submit an argument against the measure, both pursuant to Elections Code Section 9282.

Section 6. Future Actions Relating to the Conduct and Consolidation of Elections: The City Council will take future actions as required by law to call and give notice of the Regular Municipal Election within the applicable time frame provided for in the California Elections Code. All such actions shall apply to this Initiative measure.

Section 7. City Clerk Authorization. The City Clerk is hereby authorized to take such further actions as are required of the Elections Official to confirm that the Initiative is submitted to the voters as required herein.

PASSED, APPROVED AND ADOPTED this 19<sup>th</sup> day of February, 2019.

  
James Gomez, Mayor

Attest:

  
Laurie Swindell, CMC, Interim City Clerk

STATE OF CALIFORNIA )  
COUNTY OF ORANGE ) SS.  
CITY OF LA HABRA )

I, Laurie Swindell, Interim City Clerk for the City of La Habra, do hereby certify that the above and foregoing is a true and correct copy of Resolution No. 5884 introduced and adopted at a regular meeting of the City Council of the City of La Habra held on the 19th day of February, 2019, by the following roll call vote:

AYES: COUNCILMEMBERS: BEAMISH, SHAW, ESPINOZA  
NOES: COUNCILMEMBERS: NONE  
ABSENT: COUNCILMEMBERS: NONE  
ABSTAIN: COUNCILMEMBERS: MEDRANO, GOMEZ

Witness my hand and the official seal of the City of La Habra this 19<sup>th</sup> day of February, 2019.

  
Laurie Swindell, CMC, Interim City Clerk